

# FISH & WILDLIFE HABITAT & HARVEST

## Goals

**Maintain and Protect Publicly Owned Habitat Base.** The state will maintain in public ownership and protect the habitat values of sufficient suitable lands and waters to provide for the habitat needs of fish and wildlife resources necessary to maintain or enhance public use and economic benefits.

**Ensure Access to Public Lands and Waters.** Ensure access to public lands and waters where appropriate to promote or enhance responsible public use and enjoyment of fish and wildlife resources. Access improvements should be designed to match the public use objectives for the area under consideration.

**Mitigate Habitat Loss.** When resource development projects occur, avoid or minimize reduction in the quality and quantity of fish and wildlife habitat.

**Contribute to Economic Diversity.** Contribute to Alaska's economy by working to achieve the economic development of other resources while protecting the fish and wildlife resources and habitats that contribute directly and indirectly to local, regional, and state economies through commercial, subsistence, sport, and non-consumptive uses.

## Management Guidelines

**A. Mitigation.** When issuing permits and leases or otherwise authorizing the use or development of state lands, the Department of Natural Resources will recognize the requirements of the activity or development and the benefits it may have to habitat when determining stipulations or measures needed to protect fish and wildlife, or their habitats. The costs of mitigation relative to the benefits to be gained will be considered in the implementation of this policy.

All land use activities will be conducted with appropriate planning and implementation to avoid or minimize adverse effects on fish and wildlife, or their habitats.

The department will enforce stipulations and measures, and will require the responsible party to remedy any significant damage to fish and wildlife, or their habitats that may occur as a

direct result of the party's failure to comply with applicable law, regulations, or the conditions of the permit or lease.

When determining appropriate stipulations and measures, the department will apply the following steps in order of priority. Mitigation requirements listed in other guidelines in this plan will also follow these steps.

1. Avoid anticipated, significant adverse effects on fish and wildlife, or their habitats through siting, timing, or other management options.
2. When significant adverse effects cannot be avoided by design, siting, timing, or other management options, the adverse effect of the use or development will be minimized.
3. If significant loss of fish or wildlife habitat occurs, the loss will be rectified, to the extent feasible and prudent, by repairing, rehabilitating, or restoring the affected area to a useful state.
4. DNR will consider requiring replacement with or enhancement of fish and wildlife habitat when steps 1 through 3 cannot avoid substantial and irreversible loss of habitat. DF&G will clearly identify the species affected, the need for replacement or enhancement, and the suggested method for addressing the impact. Replacement with or enhancement of similar habitats of the affected species in the same region is preferable. DNR will consider only those replacement and enhancement techniques that have either been proven to be, or are likely to be effective and that will result in a benefit to the species impacted by the development. Replacement or enhancement will only be required by DNR if it is determined to be in the best interest of the state either through the AS 38.05.035(e) or permit review process. Replacement may include structural solutions, such as creating spawning or rearing ponds for salmon, creating wetlands for waterfowl; or non-structural measures, such as research or management of the species affected, legislative or administrative allocation of lands to a long-term level of habitat protection that is sufficiently greater than that which they would otherwise receive, or fire management to increase habitat productivity.

**B. Habitat Manipulation.** Controlled burning, water control, timber management practices, or other measures may be used to improve habitat for certain fish and wildlife species where feasible and compatible with other designated primary uses.

**C. Structures in Fish Habitat.** Structures in fish-bearing waters will, to the extent feasible, be designed to minimize impacts on fish migration and other important life stages and activities, including spawning and rearing.

**D. Water Intake Structures.** When issuing appropriations for waters providing fish habitat, DNR will require that practical water intake structures be installed that do not entrain or impinge upon fish. The most simple and cost-effective technology may be used to implement this guideline.

Where necessary to protect fish, water intake structures will be screened and intake velocities will be limited to prevent entrapment, entrainment, or injury to fish. The structures supporting intakes should be designed to prevent fish from being led into the intake. Other effective techniques may also be used to achieve the intent of this guideline. Screen size, water velocity, and intake design should be recommended by DF&G when DF&G reviews the DNR authorization request.

**E. Threatened and Endangered Species.** All land use activities will be conducted consistent with state and federal Endangered Species Acts to avoid jeopardizing the continued existence of threatened or endangered species of animals or their continued use of an area, and to avoid modification or destruction of their habitat. Specific mitigation recommendations should be identified through interagency consultation for any land use activity that potentially affects threatened or endangered species. Within the Tanana Basin, the U.S. Fish and Wildlife Service and DF&G list the Arctic peregrine falcon as threatened and the American peregrine falcon as endangered under the state and federal Endangered Species Act, as amended.

Activities that potentially affect bald and golden eagles will be consistent with the federal and state endangered species act and the Bald Eagle Protection Act of 1940, as amended.

Where there is reason to believe any activity may impact a threatened or endangered species, or bald eagle, DNR will consult with the U.S. Fish and Wildlife Service or the Department of Fish and Game.

**F. Trumpeter Swan Nesting Areas.** In trumpeter swan nesting areas, all land use activities that would disturb nesting swans or detrimentally alter the nesting habitat will be avoided to the extent feasible and prudent. Leases or permits may include seasonal restriction on activities to avoid disturbance to swans. Consultation with DF&G should be used to identify current or potential nesting habitat and to determine guidelines to follow and activities to avoid.

Construction of transmission lines in trumpeter swan habitat should be avoided. If transmission lines are constructed they should be sited in forested areas and kept close to treetop level, and wires should be strung in one horizontal plane rather than in multiple, vertical stakes. Where wires cross rivers, marshes, and other open spaces, wires should be marked in a fashion to make them visible to swans.

**G. Activities in Important Waterfowl Habitat.** In important waterfowl habitat, activities requiring a permit, lease, or development plan, and producing high levels of acoustical or visual disturbance from sources such as boat traffic, blasting, dredging, and seismic operations, will, to the extent feasible and prudent, be avoided during sensitive periods such as nesting, staging, or brood-rearing periods. Where it is not feasible and prudent to avoid such activities, other mitigative measures will be considered to attempt to avoid significant impacts. The Department of Fish and Game will be consulted for assistance in identifying areas of important waterfowl habitat.

**H. Dredge and Fill in Important Waterfowl Habitat.** Permits for dredging and filling in important waterfowl habitat, including permits for gravel extraction and construction of roads and pads, will not be granted unless it is determined that the proposed activity will not cause significant adverse impacts to important waterfowl or that no feasible and prudent alternative exists. Where dredging or filling does not take place, other mitigative measures will be considered to attempt to avoid significant impacts.

**I. Conflicts with Traditional Uses of Fish and Game.** Decisions to authorize land use activities will consider the effect on and minimize significant conflicts with traditional uses of fish and wildlife resources.

**J. Other Guidelines Affecting Fish and Wildlife Habitat.** Other guidelines may affect the protection and management of fish and wildlife habitat. See in particular the following sections of this chapter:

- Agriculture and Grazing
- Forestry
- Lakeshore Management
- Materials
- Public Access
- Recreation and Tourism
- Stream Corridors and Instream Flow
- Subsurface Resources
- Trail Management
- Transportation
- Wetland Management